

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

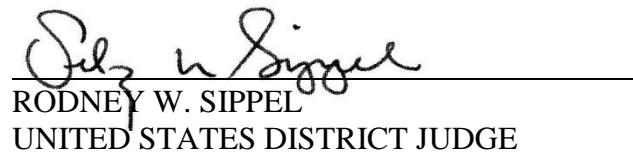
LINDA ALLEN, et al., )  
                          )  
Plaintiffs,           )  
                          )  
vs.                    )       Case No. 4:17 CV 770 RWS  
                          )  
C.R. BARD, INC., et al., )  
                          )  
Defendants.           )

**MEMORANDUM AND ORDER**

**IT IS HEREBY ORDERED** that the motion to dismiss plaintiff David Eggen [31] is granted only to the following extent: **the claims of David Eggen are dismissed without prejudice.**

**IT IS HEREBY ORDERED** that **the sole remaining plaintiff in this case, Linda Finney, shall file her operative complaint in this case with this case caption as previously ordered (Doc. 27) by November 25, 2019.** If Document 1 is the operative complaint, plaintiff's counsel shall file an affidavit so stating by that same date.

**IT IS FURTHER ORDERED** that by **November 25, 2019**, the parties shall file a joint proposed scheduling plan for disposition of the claims of the remaining plaintiff. This scheduling plan shall include a proposed deadline for early alternative dispute resolution as, absent good cause shown, it is this Court's intention to immediately refer this case to mediation.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 19th day of November, 2019.